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HAMILTON & TERRILE, LLP
P.O. BOX 203518
AUSTIN, TX 78720

EXAMINER	
STERRETT, JONATHAN G	

ART UNIT	PAPER NUMBER
3623	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

tmunoz@hamiltonterrile.com

Office Action Summary	Application No.	Applicant(s)	
	10/657,983	MYRICK ET AL.	
	Examiner	Art Unit	
	JONATHAN G. STERRETT	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 October 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Office Action Summary

1. This **Final Office Action** is responsive to the amendment of 9 October 2008.

Response to Arguments

2. The applicant's arguments have been fully considered but are not persuasive.

3. The applicant argues that the claims are statutory under 35 USC 101.

The examiner respectfully disagrees.

While the applicant argues that the data is transformed, this is not the case. When two chemical substances are mixed and form another substance, this is a physical transformation. The processing of data, such as in the claims of the instant application, is not a physical transformation because the data is not transformed into a different thing – it is still data. Additionally, the recitation of **Claim 18** that recites building products fails to recite a statutory tie (either in the providing of the building products or in the other processing steps) and is thus not statutory.

4. The applicant argues that Joao fails to teach the limitation of a customer interface operable to receive delivery reports from customers, as recited by Claim 1 or receiving delivery reports from customers, as recited by Claim 11.

The examiner respectfully disagrees.

In paragraphs 180-186, Joao teaches the receiving of deliveries by customers. Specifically in para 182, the system generates a notification (i.e. a report) that a customer is correct and that the delivery has been accepted - see also para 184.

5. The applicant argues that Wiesenmaier and Hancock fail to teach the limitations of Claim 18 regarding automatically rebuilding the products with a response of lost or damaged.

The examiner respectfully disagrees.

The rejection is made over a combination of references. Joao in para 187 teaches that delivery information can be more than a notification or report that a package is mis-delivered, but can also include where the package is damaged or lost. This suggests what is known in the art regarding shipping to customers. The fact that Joao teaches notifying that a package is mis-delivered, lost or damaged suggests that customers want whatever they have shipped to them. Otherwise there is no need to notify that the package delivery is not proceeding as planned. (see also para 29 and 35 – Joao's teachings include filing an insurance claim, i.e. suggesting that the lost, damaged or missing items need to be replaced). So Joao establishes the need to replace, for whatever reason, the customer has not received.

Hancock teaches a logistics node that interfaces with a manufacturing node for ensuring the proper orders are scheduled for manufacturing (i.e. the building of orders). When the logistics node receives information indicating that an order, for example, is missing (such as from the delivery notification taught by Joao), then the logistics node

reschedules the order – i.e. automatically rebuilds the order. Since Hancock teaches a computer system (column 7 line 57-67), Hancock's invention operates automatically - see also column 2 line 50-64.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 11-20 are rejected under 35 U.S.C. 101 based on Supreme Court precedent, and recent Federal Circuit decisions, the Office's guidance to examiners is that a § 101 process must (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94 U.S. 780,787-88 (1876).

An example of a method claim that would not qualify as a statutory process would be a claim that recited purely mental steps. Thus, to qualify as a § 101 statutory process, the claim should positively recite the other statutory class (the thing or product) to which it is tied, for example by identifying the apparatus that accomplishes the

method steps, or positively recite the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.

Here, applicant's method steps, fail the first prong of the new Federal Circuit decision since they are not tied to another statutory class and can be performed without the use of a particular apparatus. Thus, **Claims 11-20** are non-statutory since they may be performed within the human mind.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (U.S. Pub. No. 2002/0099567 A1).

Regarding to claim 1, Joao discloses the invention substantially as claimed. Joao discloses a system for automated freight claim management of freight deliveries (i.e. shipment information) (paragraph [0002], lines 1-2, paragraph [0010], lines 1-2), the system comprising: a customer interface (i.e. receiver computer) (paragraph [0010], lines, 4) operable to accept delivery reports (i.e. insurance claims) from customers (paragraph [0187], lines 1-6); a central processing computer operable to automatically process the delivery reports to identify freight claims (i.e. insurance claims) (paragraph [0034], lines 1-5, paragraph [0104], lines 1-5), a logistics service provider interface (i.e. sender or shipping computer) (paragraph [0010], lines 3-4) operable to communicate freight claims (i.e. insurance claim) to the logistics service provider and to receive (i.e. transmit and/or receive) logistics service provider responses (paragraph [0017], lines 1-7, paragraph [0187], lines 1-6); wherein the central processing computer is further operable to process logistics service provider responses (i.e. carrier) to resolve freight claims (paragraph [0034], lines 1-5). However, Joao does not explicitly disclose a freight claim engine that provides the claimed functionality. It is common knowledge in the prior art for a central processing computer (i.e. freight claim engine) to provide the functionality of the claimed invention to operate the system. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for the system of Joao to include a freight claim engine operable to automatically process the delivery reports to identify freight claims, wherein the freight claim engine is

further operable to process logistics service provider responses to resolve freight claims. The motivation for doing so would have been for the central processing computer (i.e. freight claim engine) to drive/automate the functionality of automatically processing the delivery reports to identify freight claims, wherein the freight claim engine is further operable to process logistics service provider responses to resolve freight claims.

Regarding to claim 11, Joao discloses the invention substantially as claimed. Joao discloses a method for automated freight claims management of freight deliveries (i.e. shipment information) (paragraph [0002], lines 1-8), the method comprising: receiving delivery reports (i.e. information) from customers (paragraph [0187], lines 1-6); identifying delivery reports as freight claims (paragraph [0035], lines 3-8), automatically communicating (i.e. transmit) freight claims to a logistics service provider associated with the freight deliveries (paragraph [0017], lines 1-7); receiving responses to the freight claims from the logistics service provider (i.e. sender) (paragraph [0017], lines 1-7) and automatically resolving the freight claims according to the logistic service provider responses (paragraph [0034], lines 1-5). However, Joao does not explicitly disclose using one or more predetermined factors to identify delivery reports as freight claims (i.e. insurance claims). It is common knowledge in the prior art to use predetermined factors to identify delivery reports as freight claims (i.e. insurance claims). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for the method of Joao to include the feature of identifying delivery reports as freight claims (i.e. insurance claims) by one or more

predetermined factors. The motivation for doing so would have been to identify the information (i.e. delivery reports) as freight claims in order to resolve the freight claims according to the logistics service provider responses.

10. Claims 2 and 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (U.S. Pub. No. 2002/0099567 A1) in view of Hancock et al. (U.S. Pat. No. 6,785,718 B2).

Regarding to claims 2 and 4, Joao discloses the invention substantially as claimed. Joao discloses providing a notification of a lost or found shipment (i.e. off-track shipment/mis-delivered shipment) (paragraph [0029], lines 1-6). However, Joao does not disclose wherein the freight claim engine is further operable to resolve freight claims by automatically generating a re-delivery order for logistics service provider responses of lost freight (as per claim 2) and wherein the freight claim engine is further operable to resolve freight claims by automatically precluding a re-delivery order for logistics service provider responses of found freight (as per claim 4). Hancock et al. discloses reviewing orders to identify discrepancies and addressing the discrepancies by canceling or rescheduling the orders (column 10, lines 19-22). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the system of Joao with the feature of wherein the freight claim engine is further operable to resolve freight claims by automatically generating a re-delivery order for logistics service provider responses of lost freight (as per claim 2) and wherein the freight claim engine is further operable to resolve freight claims by automatically precluding (i.e. canceling) a re-delivery order for logistics service provider responses of

found freight (as per claim 4) as taught by Hancock et al., as both Joao and Hancock et al. are directed to the system for automated freight claim management of freight deliveries. The motivation for doing so would have been to generate a re-delivery order for lost freight and precluding a re-delivery order for found freight.

Regarding to claim 5, Joao and Hancock et al. discloses the invention substantially as claimed. However, Joao and Hancock et al. do not explicitly disclose an accounting engine interfaced with the freight claims engine and operable to track payment balances to the logistics service provider based on the identified freight claims and the logistics service provider responses. Joao discloses a database containing various electronic payment information, credit card account information, financial account information, etc. (paragraph [0127], lines 1-11). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for the system of Joao and Hancock et al. to include an accounting engine interfaced with the freight claims engine and operable to track payment balances to the logistics service provider based on the identified freight claims and the logistics service provider responses as taught by Joao, as both Hancock et al. and Joao are directed to the system for automated freight claim management of freight deliveries. The motivation for doing so would have been to track payment balances based on the identified freight claims and the logistic service provider responses.

Regarding to claim 6, Joao and Hancock et al. discloses the invention substantially as claimed. However, Joao does not disclose wherein the logistics service provider interface comprises an EDI communications interface. Hancock et al.

discloses connecting interfaces (i.e. nodes) using Electronic Data Interchange (EDI) (column 5, lines 43-46). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the system of Joao with the feature of wherein the logistics service provider interface comprises an EDI communications interface as taught by Hancock et al., as both Joao and Hancock et al. are directed to the system for automated freight claim management of freight deliveries. The motivation for doing so would have been to reduce the cost of using paper documents to transfer information/data.

11. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (U.S. Pub. No. 2002/0099567 A1) in view of Hancock et al. (U.S. Pat. No. 6,785,718 B2) and further in view of Campbell et al. (U.S. Pub. No. 2004/0030572 A1).

Regarding to claim 3, Joao and Hancock et al. discloses the invention substantially as claimed. However, Joao and Hancock et al. do not disclose a response time engine interfaced with the freight claim engine and operable to assign a response of lost freight to a freight claim if the logistics service provider fails to respond to the freight claim in a predetermined time. Campbell et al. discloses triggering an alarm if the delivery is not picked up or delivered within accepted periods of time (paragraph [0057], lines 13-19, paragraph [0081], lines 15-17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the system of Joao and Hancock et al. with the feature of a response time engine interfaced with the freight claim engine and operable to assign a response of lost freight to a freight claim if the logistics service provider fails to respond to the freight

claim in a predetermined time as taught by Campbell et al., as Joao and Hancock et al. and Campbell et al. are directed to the system for automated freight claim management of freight deliveries. The motivation for doing so would have been to assign a response of lost freight if the logistic service provider fails to respond to the freight claim in a predetermined time.

12. Claims 7, 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (U.S. Pub. No. 2002/0099567 A1) in view of Wiesenmaier (U.S. Pub. No. 2002/0120533 A1).

Regarding to claims 7, 8 and 12, Joao discloses the invention substantially as claimed. However, Joao does not explicitly disclose wherein the deliveries comprise built to order products (as per claim 7) and wherein the built to order products comprise information handling systems (as per claims 8 and 12). Wiesenmaier discloses delivering built to order (i.e. made-to-specification) products (paragraph [0003], lines 1-3). It is also common knowledge in the prior art for built to order products to include information handling systems in order to customize the information handling system according to an individual or organization's specifications. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the system and method of Joao with the feature of wherein the deliveries comprise built to order products (as per claim 7) and wherein the built to order products comprise information handling systems (as per claims 8 and 12) as taught by Wiesenmaier, as both Joao and Wiesenmaier are directed to the system and method for

automated freight claim management of freight deliveries. The motivation for doing so would have been to deliver freight consisting of built to order products, wherein the built to order products comprise information handling systems.

13. Claims 9, 10, 13, 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (U.S. Pub. No. 2002/0099567 A1) in view of Wiesenmaier (U.S. Pub. No. 2002/0120533 A1) and further in view of Hancock et al. (U.S. Pat. No. 6,785,718 B2).

Regarding to claim 9, Joao and Wiesenmaier discloses the invention substantially as claimed. However, Joao and Wiesenmaier do not disclose an information handling system order validation engine associated with the freight claims engine and operable to compare information associated with freight claims with one or more required information fields to identify and intercept deficient freight claims from communication to the logistics service provider. Hancock et al. discloses comparing and updating purchase orders (column 10, lines 4-8 and 13-15) and running an error log report to identify any undefined information (column 10, lines 29-31). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the system of Joao and Wiesenmaier with the feature of an information handling system order validation engine associated with the freight claims engine and operable to compare information associated with freight claims with one or more required information fields to identify and intercept deficient freight claims from communication to the logistics service provider as taught by Hancock et al., as Joao,

Wiesenmaier and Hancock et al. are all directed to the system for automated freight claim management of freight deliveries. The motivation for doing so would have been to validate built to order product orders and intercept deficient freight claims.

Regarding to claim 10, Joao and Wiesenmaier discloses the invention substantially as claimed. However, Joao and Wiesenmaier do not disclose wherein the freight claims engine generates re-delivery orders for deficient freight claims. Hancock et al. discloses generating re-delivery orders (i.e. rescheduling) for orders that have discrepancies and those that were not executed (column 10, lines 19-22). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the system of Joao and Wiesenmaier with the feature of wherein the freight claims engine generates re-delivery orders for deficient freight claims as taught by Hancock et al., as Joao, Wiesenmaier and Hancock et al. are all directed to the system for automated freight claim management of freight deliveries. The motivation for doing so would have been to re-deliver orders for deficient freight claims.

Regarding to claims 13, Joao discloses the invention substantially as claimed. Joao discloses providing a notification of a lost or found shipment (i.e. off-track shipment/mis-delivered shipment) (paragraph [0029], lines 1-6). However, Joao does not disclose automatically initiating re-delivery of an information handling system identified as lost by a logistics service provider response; and automatically precluding re-delivery of an information handling system identified as found by a logistics service provider. Hancock et al. discloses reviewing orders to identify discrepancies and addressing the discrepancies by canceling or rescheduling the orders (column 10, lines

19-22). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Joao with the feature of wherein automatically resolving the freight claims further comprises: automatically initiating re-delivery (i.e. rescheduling) of an information handling system identified as lost by a logistics service provider response; and automatically precluding re-delivery (i.e. canceling) of an information handling system identified as found by a logistics service provider as taught by Hancock et al., as both Joao, Wiesenmaier and Hancock et al. are directed to the method for automated freight claim management of freight deliveries. The motivation for doing so would have been to generate a re-delivery order for lost freight and precluding a re-delivery order for found freight.

Regarding to claim 15, Joao and Wiesenmaier discloses the invention substantially as claimed. However, Joao and Wiesenmaier do not disclose validating freight claim information before sending freight claims to the logistics service provider; and initiating re-delivery of information handling systems associated with an invalid freight claim. Hancock et al. discloses comparing and updating purchase orders (column 10, lines 4-8 and 13-15), running an error log report to identify any undefined information (column 10, lines 29-31) and generating re-delivery orders (i.e. rescheduling) for orders that have discrepancies and those that were not executed (column 10, lines 19-22). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Joao and Wiesenmaier with the feature of validating freight claim information before sending freight claims to the logistics service provider; and initiating re-delivery of information

handling systems associated with an invalid freight claim as taught by Hancock et al., as Joao, Wiesenmaier and Hancock et al. are all directed to the method for automated freight claim management of freight deliveries. The motivation for doing so would have been to validate freight claim information and to initiate re-delivery orders for invalid freight claim.

Regarding to claim 16, Joao, Wiesenmaier and Hancock et al. discloses the invention substantially as claimed. However, Joao, Wiesenmaier and Hancock et al. do not explicitly disclose tracking payment balance based on the identified freight claims and the logistics service provider responses; and communicating the payment balances to a financial institution associate with payments to the logistics service provider for the deliveries. Joao discloses a database containing various electronic payment information, credit card account information, financial account information, etc. (paragraph [0127], lines 1-11) and communicating the information (paragraph [0125], lines 1-7, paragraph [0128]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for the method of Joao, Wiesenmaier and Hancock et al. to include tracking payment balance based on the identified freight claims and the logistics service provider responses; and communicating the payment balances to a financial institution associate with payments to the logistics service provider for the deliveries as taught by Joao, as Wiesenmaier, Hancock et al. and Joao are directed to the method for automated freight claim management of freight deliveries. The motivation for doing so would have been to track

and communicate payment balances based on the identified freight claims and the logistic service provider responses.

Regarding to claim 17, Joao, Wiesenmaier and Hancock et al. discloses the invention substantially as claimed. However, Joao and Wiesenmaier do not disclose wherein communicating freight claims and balances further comprises sending EDI messages. Hancock et al. discloses connecting interfaces (i.e. nodes) using Electronic Data Interchange (EDI) (column 5, lines 43-46). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Joao and Wiesenmaier with the feature of wherein communicating freight claims and balances further comprises sending EDI messages as taught by Hancock et al., as Joao, Wiesenmaier and Hancock et al. are directed to the method for automated freight claim management of freight deliveries. The motivation for doing so would have been to reduce the cost of using paper documents to transfer information/data.

Regarding to claim 18, Joao discloses the invention substantially as claimed. Joao discloses a method for manufacturer management of freight claims (i.e. insurance claims), the method comprising (paragraph [0002], lines 1-2, paragraph [0034]):; providing the products to a logistics service provider for delivery of each product to a location associated with a customer (i.e. receiver) (paragraph [0059], paragraph [0180], lines 1-2); receiving freight claims (i.e. insurance claims) from customers for failure of the logistics service provider to deliver products (paragraph [0187], lines 1-6); automatically communicating the freight claims to the logistics service provider (paragraph [0193], lines 1-6), receiving responses (i.e. information) of the logistics

service provider to freight claims (paragraph [0017], lines 1-7, paragraph [0187], lines 1-6) and providing a notification of a lost or found shipment (i.e. off-track shipment/mis-delivered shipment) (paragraph [0029], lines 1-6). However, Joao does not explicitly disclose freight claims (i.e. insurance claims) associated with delivery of build to order products by a logistics service provider, accepting orders from plural customers for products to be built to a customer-ordered configuration; building the products; automatically re-building the products associated with a response of lost or damaged; and precluding the re-building of products associated with a response of found. Wiesenmaier discloses delivery of build to order products (i.e. made-to-specification) (paragraph [0003], lines 1-3), accepting orders form plural customers for products to be built to a customer-ordered configuration (paragraph [0048], lines 5-7), building (i.e. creating) the products (paragraph [0048], lines 8-9, paragraph [0113], lines 5-6). Hancock et al. discloses reviewing orders to identify discrepancies and addressing the discrepancies by canceling or rescheduling the orders (column 10, lines 19-22). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Joao with the feature of freight claims (i.e. insurance claims) associated with delivery of build to order products by a logistics service provider, accepting orders from plural customers for products to be built to a customer-ordered configuration; building the products; automatically re-building the products associated with a response of lost or damaged; and precluding the re-building of products associated with a response of found as taught by Wiesenmaier and Hancock et al., as Joao, Wiesenmaier and Hancock et al. are directed to a method for

manufacturer management of freight claims associated with delivery of build to order products by a logistics service provider. The motivation for doing so would have been to re-build lost or damaged products and precluding re-building of found products.

Regarding to claim 19, Joao, Wiesenmaier and Hancock et al. discloses the invention substantially as claimed. However, Joao, Wiesenmaier and Hancock et al. do not explicitly disclose validating that the location associated with freight claims matches the location provided to the logistics service provider for the products. Joao discloses verifying that a shipment is being delivered to the proper receiver (paragraph [0031], lines 1-4). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Wiesenmaier and Hancock et al. with the feature of validating that the location associated with freight claims matches the location provided to the logistics service provider for the products as taught by Joao, as Wiesenmaier, Hancock et al. and Joao are directed to the method for manufacturer management of freight claims associated with delivery of build to order products by a logistics service provider. The motivation for doing so would have been to validate that a shipment is being delivered to the proper receiver associated with the freight claims.

Regarding to claim 20, Joao, Wiesenmaier and Hancock et al. discloses the invention substantially as claimed. However, Joao, Wiesenmaier and Hancock et al. do not explicitly disclose wherein the products comprise information handling systems. Wiesenmaier discloses delivering built to order (i.e. made-to-specification) products (paragraph [0003], lines 1-3). It is common knowledge in the prior art for built to order

products to include information handling systems in order to customize the information handling system according to an individual or organization's specifications. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Joao with the feature of wherein the products comprise information handling systems as taught by Wiesenmaier, as both Joao, Hancock et al. and Wiesenmaier are directed to the method for manufacturer management of freight claims associated with delivery of build to order products by a logistics service provider. The motivation for doing so would have been to deliver freight consisting of build to order products, wherein the build to order products comprise information handling systems.

14. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (U.S. Pub. No. 2002/0099567 A1) in view of Wiesenmaier (U.S. Pub. No. 2002/0120533 A1) in view of Hancock et al. (U.S. Pat. No. 6,785,718 B2) and further in view of Campbell et al. (U.S. Pub. No. 2004/0030572 A1).

Regarding to claim 14, Joao, Wiesenmaier and Hancock et al. discloses the invention substantially as claimed. However, Joao, Wiesenmaier and Hancock et al. do not disclose tracking response times between freight claim communications to logistics service providers and logistics service provider responses; and assigning a logistics service provider response of lost if a predetermined response time lapses. Campbell et al. discloses triggering an alarm if an acknowledgement of delivery is not received and if the delivery is not picked up or delivered within accepted periods of time (paragraph

[0057], lines 13-19, paragraph [0081], lines 5-12 and 15-17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Joao, Wiesenmaier and Hancock et al. with the feature of tracking response times between freight claim communications to logistics service providers and logistics service provider responses; and assigning a logistics service provider response of lost if a predetermined response time lapses as taught by Campbell et al. as Joao, Wiesenmaier, Hancock et al. and Campbell et al. are directed to the method for automated freight claim management of freight deliveries. The motivation for doing so would have been to assign a response of lost freight if the logistic service provider fails to respond to the freight claim in a predetermined time.

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached 8-6 Monday - Friday (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Van Doren can be reached on 571-272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

1-12-2009 JGS
/Jonathan G. Sterrett/
Primary Examiner, Art Unit 3623